THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.27344 of 2005

Dated 23-12-2005

Between:

B.Savithri, D/o.Musalaiah.

.. **PETITIONER**

AND

A.P.Central Power Distribution Company Limited and others.

.. RESPONDENTS

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ORDER

The petitioner claims benefit under B.P.Ms.No.36, dated 18-05-1997. According to the scheme, the contract labour, engaged by the labour contractors, who were assigned the work by the then Electricity Board against any prohibited categories of works, were entitled to be appointed on regular basis. The petitioner states that she has been engaged as a contract labour by M/s.Manjeera Electrical and Mechanical Engineering Contractor between 15-04-1997 and 31-10-1998. She submitted a claim before the second respondent on the basis of a certificate dated 01-06-2001 issued by the said contractor. The second respondent rejected the claim of the petitioner through order dated 12-05-2005. The same is challenged in this writ petition.

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondent.

According to the scheme framed under B.P.Ms.No.36, dated 18-05-1997, such of the contract labour, who were engaged for prohibited categories of works in the contracts awarded by the A.P.S.E.B. were entitled to be regularized. The condition precedent for consideration of such claim is that the claimant must establish that;

(a) There existed contract issued by the Electricity Board in favour of labour contractor.

(b) The contract was in respect of prohibited category of work.

(c) The claimant was engaged for such category of work.

(d) The contract was in vogue as on 18-05-1997; and

(e) The relevant facts were certified by the Engineer in charge of the

work.

A perusal of the certificate, dated 01-06-2001, relied on by the petitioner, discloses that she does not comply with any of these conditions. Therefore, the second respondent was justified in rejecting the claim of the petitioner. Thus, this court does not find any basis to grant any relief to the petitioner.

Accordingly, the writ petition is dismissed. No order as to costs.

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23-12-2005

Prv